

Decision 04-04-036

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of the Application of World Wide Communications, a California Corporation, for a Certificate of Public Convenience and Necessity to Provide InterLATA and IntraLATA Telecommunications Service in California as a Switchless Reseller.

Application 02-04-010  
(Filed April 4, 2002)

**OPINION DISMISSING APPLICATION FOR FAILURE TO PROSECUTE****Summary**

World Wide Communications, a California corporation (Applicant) filed an application on April 4, 2002, for a certificate of public convenience and necessity to provide inter - and intra- local access and transport area services in California as a non-dominant interexchange carrier. By this decision, we dismiss the application for failure to prosecute.

**Discussion**

Applicant filed its application on April 4, 2002, requesting authority to provide interexchange telecommunications services. The application did not contain all of the information required for approval. Because there was an unresolved problem with a similarly named application, the following letter was sent to the Applicant on September 26, 2002:

“Your Application 02-04-010, filed April 4, 2002, was incomplete. In particular, there was no fax number. A fax number (510) 784-0333 was obtained by telephone inquiry. This fax number was used to transmit the following request on June 4, 2002:

‘Re your responses to questions 7 and 8 on your application, please verify whether or not you have any connection to or knowledge of officers at any of the carriers listed below:

World Wide Communications Inc, CPCN (U-5259-C), David Broser,  
President.  
Worldwide Telecommunications Corporation, Joseph Mancuso,  
President'."

A response was requested (preferably by e-mail), by mail or fax. To date there has been no reply to this inquiry.

This letter was followed by several fruitless attempts to contact the Applicant by telephone. After a lapse of several months a second attempt to obtain a response by mail was made. In a letter dated January 14, 2004, the Telecommunication Division requested a response by January 28, 2004 and advised the Applicant that, absent a response, the application would be closed. Applicant did not respond. This application should not be left open indefinitely, as Applicant has been given a full opportunity to pursue this matter, and has not done so. Therefore, the application should be dismissed for failure to prosecute. This order should be made effective immediately to clear this application from the Commission's list of active proceedings.

### **Findings of Fact**

1. Applicant failed to respond to the Telecommunication Division's June 4, 2002, September 26, 2002, and January 14, 2004 requests for information.
2. The application should not be left open indefinitely.
3. Applicant has failed to prosecute the application.

### **Conclusions of Law**

1. The application should be dismissed.
2. This order should be made effective immediately to clear this application from the Commission's list of active proceedings.

**O R D E R**

**IT IS ORDERED that:**

1. Application 02-04-010 is dismissed with prejudice for failure to prosecute.
2. This proceeding is closed.

This order is effective today.

Dated \_\_April 19, 2004\_\_\_\_\_, at San Francisco, California.

/s/ WESLEY M. FRANKLIN for

WILLIAM AHERN  
Executive Director